



State Senator

**Neal J. Kedzie**

11th Senate District

**Testimony on Senate Bill 42  
Senator Neal Kedzie  
Assembly Committee on Education  
February 12, 2008**

Chairman Davis, members of the Committee, thank you for holding a public hearing today on Senate Bill 42. I would also like to thank Senator Coggs, Representative Jeskewitz and the Department of Public Instruction who have worked together with me on this legislation in a bi-partisan manner.

A serious problem is occurring within our schools today – bullying – and we believe the Legislature has an obligation to ensure this problem is being addressed. That is the intent of SB 42.

When I was first approached about this legislation, I had a number of questions that many of you might share today:

- Bullying has always existed, so what has changed to require this bill?
- Aren't schools already addressing this issue?
- What can we do as a legislature to address this issue?

Through our research, though, it is evident that bullying is more severe and more prevalent than ever before. It is no longer teasing and taking someone's lunch money, it has evolved into threatening words, physical violence, intimidating e-mails, slanderous text messages and even entire web pages built to torment innocent children. The level of sophistication and severity has increased. Children are calculated in what they do, and seek out vulnerable children and attack their vulnerabilities.

Consider the following statistics from a 2004 survey conducted by Fox 6 News in Milwaukee. More than 13,000 students and Teachers from 63 separate middle and high schools in southeastern Wisconsin were surveyed.

- 78 percent of teachers and counselors surveyed believe bullying is a problem at their school
- 52 percent of teachers and counselors believe that their school is not doing a good enough job in preventing bullying
- 29 percent of students say they have been bullied at or on their way to school

Office: State Capitol • Post Office Box 7882 • Madison, Wisconsin 53707-7882  
(608) 266-2635 • Fax: (608) 267-5172 • Toll-Free: 1 (800) 578-1457 • Sen.Kedzie@legis.wisconsin.gov  
District: N7661 Highway 12 • Elkhorn, Wisconsin 53121 • (262) 742-2025

- 65 percent of students bullied said that a teacher or other member of the school staff did not try to help them when they were bullied

In addition, failure to address bullying opens school districts up to potential for a lawsuit. A federal jury in Kansas recently awarded a student \$250,000 because a school district failed to take the appropriate steps to stop bullying within their school.

We hope this legislation would be viewed not as a mandate, but as a cooperative effort, giving schools and teachers the tools they need to address incidents of bullying. To those schools that are already addressing this issue – keep up the good work, and continue what you are doing. But for those schools that may need more assistance, this legislation will provide guidance.

Thus, Senate Bill 42 will:

- Require the Department of Public Instruction to develop a model school policy on bullying, as well as a model education and awareness program. (Please know that in response to the legislation we introduced last session, as well as the growing severity of this problem, the Department has already proactively worked on these requirements, as will be discussed later by the Department.)
- Require school districts to adopt a policy regarding bullying and to distribute this policy to students and parents annually. (Schools districts are free to adopt the DPI model policy, modify the DPI policy, or craft one of their own.)
- Specify that the Wednesday of the 4<sup>th</sup> week of September is Bullying Awareness Day, and add it to the list of special observance days that school districts may observe.

I would like to state for the record that this bill was not introduced to single out any specific school district, or imply that school officials aren't doing their job, or that it will remove local control. And contrary to what some may believe, this is not about creating a "Nanny State."

Senate Bill 42 will provide a line of defense to ensure a safe and healthy learning environment by giving our school districts the tools to effectively deal with the issue of bullying. Further, the bill is necessary to help schools deal with bullying problems, before they become criminal issues.

Thank you for your consideration of Senate Bill 42.

---

# WISCONSIN EDUCATION ASSOCIATION COUNCIL

---

Affiliated with the National Education Association

*Every kid  
deserves a  
Great School!*

**To: Members of the Assembly Committee on Education**

**From: Wisconsin Education Association Council**

**Date: February 12, 2008**

**Re: SB 42 Relating to School Policies on Bullying**

## **Support SB 42 Relating to School Policies on Bullying**

A working classroom is one in which students are safe and healthy. The Wisconsin Education Association Council supports Senate Bill 42 directing schools to provide instruction in anti-bullying behavior. WEAC has sought legislation to implement anti-bullying curriculum in schools as well as programs to promote peer mediation, both of which have been part of WEAC's Legislative Agenda since 2000.

The National Education Association has reported that bullying behavior is a major concern of schools throughout the United States. WEAC believes that anti-bullying programs should be implemented in every school in Wisconsin. Instruction to prevent bullying will promote positive and caring relationships among students, staff, parents and communities as well as raise awareness of the problem and promote a sense of belonging and acceptance in students. Wisconsin is recognized nationally for its safe schools. Schools and communities, however, need to use comprehensive approaches including anti-bullying instruction to keep schools, students, and school staff safe.

## **For more information:**

If you have any comments or questions regarding this statement, please contact Michael Walsh, WEAC Government Relations Specialist, at 800-362-8034 or 276-7711 or at [walshm@weac.org](mailto:walshm@weac.org).

Mary Bell, President  
Dan Burkhalter, Executive Director





**Testimony to the Assembly Committee on Education  
Shel Gross, Director of Public Policy  
Mental Health America of Wisconsin  
SB42**

Mental Health America of Wisconsin (MHA-formerly the Mental Health Association of Wisconsin) urges your support for SB42 as amended. The negative impacts of bullying are outlined in a fact sheet that I have attached to the copy of my testimony.

MHA's interest in addressing bullying stems in large part from the contribution of bullying towards depression, anxiety and suicide. Our concern is for both those who are bullied and those who do the bullying—both are at risk for negative outcomes. I have provided you with a copy of an article related to bullying from our Well Aware newsletter, which has been produced for school administrators as part of a federal suicide prevention grant administered by the MHA. We know that bullying is a huge issue for children who are already experiencing mental health disorders.

However, committee members should note that bullying also interferes with students' engagement with school, which makes the school's involvement in bullying prevention an integral part of their primary role of educating our children. If children are not present at school because of fears of being bullied, or if they are preoccupied with thinking about being bullied while in school they are unable to learn.

Good bullying prevention programs are also good child development programs because they can proactively seek to engage our youth in positive ways. While there needs to be disciplinary policies related to bullying, a comprehensive approach to bullying is not limited to discipline.

We are pleased to see bipartisan support for this bill and again urge you to support its passage.

# Bullying: What We Know

## BULLYING: THE FACTS

---

### **Bullying is:**

- ❖ Aggressive behavior that is intentional and involves an imbalance of power or strength.
- ❖ Bullying can take many forms: physical, verbal, nonverbal or emotional (intimidation through gestures or social exclusion), and cyber (using the Internet, text messaging, or email to slander or embarrass).
- ❖ Bullying is a form of victimization, not a conflict.

### **The Prevalence of Bullying**

- ❖ The incidence of behaviors such as bullying has increased, while school violence has declined in the past several years.<sup>1</sup>
- ❖ Studies show that between 15-25% of U.S. students are bullied with some frequency while 15-20% report that they bully others with some frequency.<sup>2,5</sup>
- ❖ In a survey of students in 14 elementary and middle schools in Massachusetts, more than 30% believed that adults did little or nothing to help in bullying incidents.<sup>3</sup>

## BULLYING: THE IMPACT

---

### **Children who bully are more likely than their peers to:**<sup>4,5</sup>

- |                            |                  |                         |
|----------------------------|------------------|-------------------------|
| ❖ Get into frequent fights | ❖ Steal property | ❖ Be truant from school |
| ❖ Be injured in a fight    | ❖ Drink alcohol  | ❖ Drop out of school    |
| ❖ Vandalize property       | ❖ Smoke          | ❖ Carry a weapon        |

### **Research has also shown that:**

- ❖ Children who bully are more likely to report that they own guns for risky reasons, such as to gain respect or frighten others.<sup>6</sup>
- ❖ Boys who were identified as bullies in middle school were four times as likely as their non-bullying peers to have more than one criminal conviction by age 24.<sup>7</sup>

### **Effects of bullying**

- ❖ Children who are being bullied are more likely than their peers to be depressed, lonely, and anxious; have low self-esteem; feel unwell; have more migraine headaches; and think about suicide.<sup>8</sup>
- ❖ Stresses of being bullied can interfere with student's engagement and learning in school, as well as cause fear of going to school.<sup>9,10</sup>
- ❖ Bystanders to bullying are also impacted. The climate of fear and disrespect that bullying creates negatively impacts student learning.<sup>10,11</sup>

**This fact sheet was created by the Wisconsin Clearinghouse for Prevention Resources**

(608) 262-9157 or (800) 248-9244 • <http://wch.uhs.wisc.edu>

## WHAT WORKS IN BULLYING PREVENTION<sup>12</sup>

---

- ❖ Programs that show the most promise are comprehensive in approach. They involve the entire school community, including families, and incorporate school-wide interventions, classroom activities, and individual interventions.
- ❖ Effective programs require strong administrative leadership with ongoing commitment and staff development on the part of the adults in the school system.
- ❖ Bullying prevention efforts should begin early - as children transition into kindergarten - and continue throughout a child's education, with no "end date."

### **The most promising school-based bullying prevention programs incorporate the following characteristics:**

- ❖ A focus on creating a school-wide environment or climate that discourages bullying
- ❖ Student surveys to assess the nature and extent of bullying behavior and attitudes
- ❖ Training to prepare staff to recognize and respond to bullying
- ❖ Development of consistent rules against bullying
- ❖ Review and enhancement of the school's disciplinary code related to bullying behavior
- ❖ Classroom activities to discuss issues related to bullying
- ❖ Integration of bullying prevention themes across the curriculum
- ❖ Individual and/or group work with children who have been bullied
- ❖ Individual work with children who have bullied their peers
- ❖ Involvement of parents in bullying prevention and/or intervention activities
- ❖ Use of teacher or staff groups to increase staff knowledge and motivation related to bullying

---

<sup>1</sup> **U.S. Department of Education.** (2002). National Center for Education Statistics, *The continuation of Education 2002*, NCES 2002-025, Washington, DC: U.S. Government Printing Office, 2002 and <http://nces.ed.gov/>.

<sup>2</sup> **Melton, G. B., Limber, S. P., Flerx, V., Cunningham, P., Osgood, D.W., Chambers, J., Henggler, S., & Nation, M.** (1998). *Violence among rural youth*. Final report to the Office of Juvenile Justice and Delinquency Prevention.

<sup>3</sup> **Mullin-Rindler, N.** (2003). *Findings from the Massachusetts Bullying Prevention Initiative*. Unpublished manuscript.

<sup>4</sup> **Nansel, T. R., Overpeck, M.D., Haynie, D. L., Ruan, W. J., & Scheidt, P. C.** (2003). Relationships between bullying and violence among US youth. *Archives of Pediatric Adolescent Medicine*, 157, 348-353.

<sup>5</sup> **Nansel, T. R., Overpeck, M., Pilla, R. S., Ruan, J., Simons-Morton, B., & Scheidt, P.** (2001). Bullying Behaviors Among US Youth: Prevalence and Association With Psychosocial Adjustment. *Journal of the American Medical Association*, 285, 2094-2100.

<sup>6</sup> **Cunningham, P. B., Henggeler, S.W., Limber, S. P., Melton, G. B., and Nation, M. A.** (2000). Patterns and correlates of gun ownership among nonmetropolitan and rural middle school students. *Journal of Clinical Child Psychology*, 29, 432-442.

<sup>7</sup> **Olweus, D.** (1993). *Bullying at school: what we know and what we can do*. NY: Blackwell.

<sup>8</sup> **Limber, S. P.** (2002). *Bullying among children and youth*. Proceedings of the Educational Forum on Adolescent Health: Youth Bullying. Chicago: American Medical Association. Available online: <http://www.ama-assn.org/ama1/pub/upload/mm/39/youthbullying.pdf>.

<sup>9</sup> **NEA Today.** (1999). *Easing the strain of students' stress*. Departments: Health. September 1999. NEA Washington, DC [www.nea.org/nea\\_today/9909/health.html](http://www.nea.org/nea_today/9909/health.html).

<sup>10</sup> **National Education Association.** (2003). *National bullying awareness campaign*. [www.nea.org/schoolsafety/bullying.html](http://www.nea.org/schoolsafety/bullying.html).

<sup>11</sup> **Banks, R.** (1997). *Bullying in schools* (ERIC Report No. EDO-PS-97-170.) University of Illinois Champaign, Ill.

<sup>12</sup> **Health Resources and Services Administration.** [www.StopBullyingNow.hrsa.gov](http://www.StopBullyingNow.hrsa.gov).

## Devoted To:

- Improving academics
- Deterring violence
- Fostering resiliency
- Enhancing coping skills
- Reducing risk
- Preventing suicide

## Boosting resiliency [protective factors in schools]

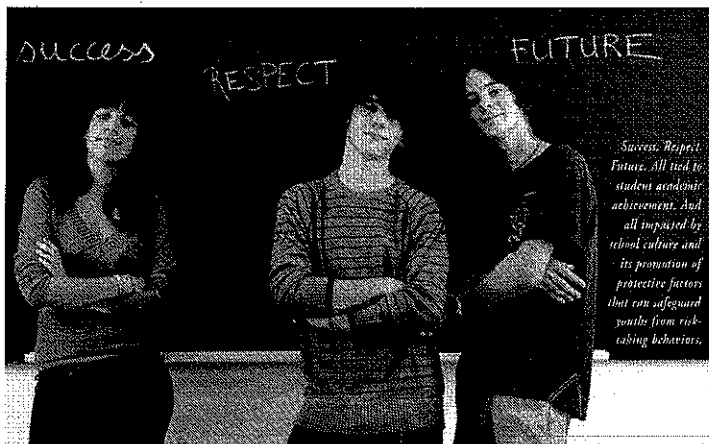
When it comes to resiliency, some students just seem to fare better than others. There are youngsters who bounce back readily from tough times. They appear hardy and quick to recover from adversity. These students are buoyant and self-reliant.

Then there are other students, those more prone to angst. They may be stressed easily and overwhelmed by circumstances that more resilient students often brush off. Poor academic outcomes for these stressed youngsters aren't the only obstacle they face.

These at-risk students can be prone to self-destructive behaviors and be vulnerable to negative things in their environment—bullying, cutting, binge drinking and drug use, promiscuity, and violence against others or suicide.

Protecting youngsters from suicide is not only about recognizing those at risk and intervening reactively to dissuade them from self-harm. Effective youth suicide prevention is much more comprehensive because it promotes positive behaviors that can reduce the likelihood that a vulnerable child will become suicidal.

Schools play a central role in fostering resiliency and protective factors, shown to be a key to student success—academic and beyond. As administrators, you can lay the foundation for a school culture where children feel a sense of belonging and connectedness. You can put practices in place that influence student behavior and boost outcomes. And you can encourage development of protective factors that indeed boost social and academic competence.



### STRENGTHENING RESILIENCY IN YOUR STUDENTS

Feedback from a national expert in protective factors for suicide prevention



John Kalafatis, PhD  
Curriculum Expert  
kalafatis@ci.rutgers.edu

As administrators, you know well that if students are stressed and not feeling safe, academics suffer. The good news? Noteworthy programs for suicide prevention in schools can help. Among these is the Lifelines™ program. A curriculum targeting students ages 12-17, Lifelines teaches warning signs for suicide, how to respond to a suicidal peer and help-seeking behaviors. A new CDC-funded study of Lifelines shows it increases teens' confidence in a school's ability to respond to at-risk kids. These findings are key, as enhancing students' trust in school staff may help break the culture of silence that isolates students at risk from adults who can help them. As a 30-year researcher and developer of curricula for at-risk students, I commend the Wisconsin Department of Public Instruction and Mental Health Association of Wisconsin in collaborating on this *Well Aware* newsletter to support programs and policies so vital to children, their future and ours as well.

## A bulletin for WISCONSIN

education leaders including:

- School Board Members
- Superintendents
- Principals
- Student Services Directors
- Central Office Administration
- Deans of Students

### PROTECTIVE FACTORS

School leaders can do a lot to boost resiliency in their students. First step? Consider protective factors for youths that can boost social and academic success.

#### UNDERSTAND THE RISK

Research shows that, on average, 11 percent of students have difficulty learning due to mental disorders. Moreover, youngsters with emotional disturbances have high dropout rates. So, it's critical that school personnel become more astute at identifying these children early and connecting them with resources.

#### PUT PROTECTORS IN PLACE

Fostering social and personal resources in youngsters can enhance their resiliency and guard against their succumbing to negative behaviors. These protective factors include:

##### Social Resources:

- Strong interpersonal bonds
- Social support
- Sense of belonging
- Strong attitudes and values that guard against suicide

##### Personal Resources:

- Strong sense of self-worth and self-esteem
- Good cognitive skills
- Sense of personal control
- Self-management skills to deal with stress, anger and depression

#### INTERVENE PROACTIVELY

Schools can do much to enhance student resiliency and promote protective factors. See "Helping Hand" on page 2.

## Teaching empathy early on [helping students reach their full potential]

Compassion and empathy for others, especially for those less fortunate, is a cornerstone of a caring community. That's why districts throughout Wisconsin have embraced anti-bullying policies, and why DPI has expanded its Bullying Prevention Curriculum with instructional units for grades 3-5 and 6-8. That gives Jackie Baldwin of St. Germain a great sense of satisfaction.

A mother of two sons, now grown yet both with emotional challenges from an early age, Jackie watched as her boys battled ridicule and were ostracized by their peers. When younger son Mike told her he didn't want to be alive anymore, Jackie felt compelled to act. Her tenacity and advocacy supported the school

district in its efforts to implement bullying prevention that is in compliance with Wis. statutes, the Civil Rights Act and Title IX—all mandating nondiscrimination policies that prohibit harassment and intimidation, including in schools.

Yet Jackie's efforts to be more proactive about bullying and discrimination in her community were not without setbacks.

"At first my son felt that adults were not taking his concerns seriously, nor were they intervening to bring consequences to perpetrators who were carrying out acts of bullying," notes Jackie. She adds that her son was already coping with a disability and ridicule. Jackie urges schools to consider their culture and

climate, and work toward a more supportive environment for all. This was key, she notes, to her son's achievements which included a prestigious President's Education Award for outstanding academic achievement, and scholarship from the Nicolet College Foundation.

"The question is, how to assist the child not as resilient as others, and help them reach their full potential," Jackie adds. The biggest thing she's learned from her work in advocacy to counter bullying? "Kids need to be taught early on how to be compassionate. That's the core of the matter."

Learn more: DPI Bullying Prevention Curriculum at [www.dpi.wi.gov/pubsales/pplpsc\\_2.html](http://www.dpi.wi.gov/pubsales/pplpsc_2.html).



A critical barrier to student success, bullying often starts in early school years. It can negatively impact a student's connection with school and their overall ability to learn. That's why bullying prevention is critical to a school environment conducive to learning and where students feel safe at all times. It's also consistent with the New Wisconsin Promise to ensure a quality education for every child.

**TESTIMONY REGARDING SB 42**

by

Jeffrey Spitzer-Resnick

Managing Attorney

As many of you know, Disability Rights Wisconsin (DRW) is Wisconsin's protection and advocacy agency for people with disabilities. In my position at DRW, I focus much of my attention on special education. It is with that experience that I am submitting this testimony regarding SB 42.

It is truly refreshing to see that the legislature is, once again, seriously considering doing something to prevent bullying in our schools. Bullying is a very serious issue, and it is particularly serious for vulnerable students, many of whom have disabilities. Indeed, I have represented students who have been bullied to the point of considering suicide.

When this bill was first presented, DRW was supportive of the bill except for Section 2, in the original bill, which would have negatively impacted students in special education. I am pleased to report that as the bill made its way through the Senate, the offensive section was removed, and the bill before you now, which is Senate Substitute Amendment 1, to SB 42, has our agency's full support.

Therefore, I urge this committee to pass this bill with the Substitute Amendment intact, and send it on to the full Assembly for a vote.

As always, I would be glad to answer any questions which committee members may have.



# SUE JESKEWITZ

State Representative • 24th Assembly District

---

**Senate Bill 42**  
**Testimony before the Assembly Committee on**  
**Education**  
**February 12, 2008**

Chairman Davis and members of the committee, I appreciate the opportunity to submit testimony today on Senate Bill 42. Last session, I authored the Assembly version of this bill, and this session I am the Assembly lead of the Senate Bill.

Bullying has severely escalated from what most of us think of as normal childhood challenges. Some experts say it is because compared to twenty years ago, violence is more prevalent in the media and possibly in homes. Others say it can be attributed to our grade structure now; we used to have Kindergarten through eighth grade in a school, but now we have middle schools as well, so older children aren't around to support or protect the young ones. And bullying today involves much more severe physical and emotional mistreatment than most of us recall.

Regardless of the reasons, severe bullying is a growing crisis and frustrated teachers, students and parents are dealing with often dangerous situations, but have no solid policies or tools to enforce consequences. In this litigious society, teachers are limited in many ways in what they can do to enforce prohibitions. They simply don't have the latitude in discipline that was common years ago, and let's face it: many adults today are bullies themselves!

Terrorizing a student daily until she can't tolerate school or beating up a classmate out of sight of teachers are incidents that are only occasionally reported. Who knows how many missed school days, injuries, ulcers and decisions to drop out are caused by being bullied? Who knows how many of today's victims will become tomorrow's tormentors?

I know we cannot legislate responsibility. But sometimes we *can* legislate awareness, we *can* supply tools for addressing a situation, and we *can* help our teachers create an environment that makes bullying unacceptable for everyone.

The Department of Public Instruction has been cooperative and helpful in creating this legislation, and I commend them for their dedication to safe schools. Working together, we can improve the learning climate of our schools.

Let's facilitate a culture within our schools that enforces respectful behavior and helps teachers work with students who choose to engage in destructive behavior. No child deserves to be injured, intimidated, teased or ignored anywhere, especially in the classroom.

Thank you.